



# MINUTES

## BOARD OF SELECTMEN

### IN BOARD OF SELECTMEN

### 12/06/2011

### 6<sup>th</sup> FLOOR HEARING ROOM

Present: Chairman Betsy DeWitt, Selectman Nancy Daly,  
Selectman Jesse Mermell, Selectman Richard Benka,  
Selectman Kenneth Goldstein

#### ANNOUNCEMENTS

[Selectmen to announce recent and/or upcoming Events of Community Interest.](#)

Thursday at 6pm graduation ceremony for CERT graduates.

Nancy went to Worcester to witness 9 Brookline Firefighters honored.

#### SELECTMEN UPDATES

Reports by individual Selectmen on activities related to carrying out the responsibilities of the Board.

#### PUBLIC COMMENT

Public Comment period for citizens who requested to speak to the Board regarding Town issues not on the Calendar.

#### MISCELLANEOUS

Approval of miscellaneous items pg. 3, #s 11-13 licenses, vouchers, and contracts.

#### REGULATION/CONTROL OF COYOTES

[Ann Tolkoff of Jordan Road will appear to discuss the Coyote problem in her neighborhood.](#)

Ms. Ann Tolkoff stated that she is here to ask protection from coyotes in her neighborhood. She mentioned that Rep Frank Smizik has a bill pending. The MSPA advises that coyotes will not attack people or pets, but at the same time suggests that you keep pets and small children indoors. She has visibly seen coyotes on her property. The neighborhood would like the BOS or Police to develop an action plan to address this problem. It is frightening to the neighbors to see these animals in such close proximity. The fright has changed their quality of life and hopes that Brookline will take the lead and put in place some kind of defense plan. There will be another neighborhood meeting in a couple of weeks, and she will keep. Nancy found it helpful that she has forms and she urged people to keep collecting the actual incidents and feels they will be effective in any upcoming legislation.

Chief O'Leary replied that working with the health dept met with mass officials to explain their options. Unless a coyote is aggressive to a human they Police can not step in and destroy it. In order to make headway the Chief O'Leary station received 17 calls in 2010 today 102 calls. The sightings have increased this year. Massachusetts law make

thier options limited and the way to go would be to pursue legislation. Her question is what constitutes a threat, it may not be the approach of an aggressive animal but the constant threat of their safety is unnerving. She is asking the Board to interpret the law and consider it a threat. Betsy replied that the Board can only follow the law. It will take action on the State level which is in progress, she feels that it will take a coalition of multiple communities to pass this. Selectman Benka would like to hear from another party to understand the choices. Would trapping and relocating solve the problem or would contraceptives be the solution. Ms. Tolkoﬀ reiterated that it should be the Town Officials that lead the way here, and take some kind of action. Selectman Goldstein added that the problem with relocation is that they would have to relocate to another community. If we can address lighting and trash disposal that could help; if we eliminate the food we can reduce their presence.

Pat Maloney from the Health Department stated that they have been working with the Police Department. This is a difficult issue for them due to local laws; he agrees that the law needs to be changed. They have tried to educate the public and continue code enforcement on sanitary problems. Betsy asked if there is a threat to the equilibrium if we can take action to reduce their population. Nancy would like Town Counsel to look into what would constitute as a threat in interpreting the law. Pat asked citizens to push their local reps to change the law. Coyotes are a protected species, you are prohibited to relocate them. Dick is this statutory? Betsy it is statutory and local officials have limited options. Ms. Tolkoﬀ thanked the Board and hopes that there will be some action taken soon.

#### COOLIDGE CORNER THEATRE PILOT

Question of approving and executing a PILOT with the Coolidge Corner Theatre.

#### FRAUD POLICY

Question of adopting the Fraudulent Activities policy that has been vetted by Town Counsel, The Human Resources Board, Labor Counsel and the School Committee.

Comptroller Judy Haupin stated that the auditors have made the recommendation that the Town adopts a fraud policy. There has been some review and language changes to the draft policy, and she presented a copy. The Board discussed the language of the policy, and provided some wordsmithing. Selectman Goldstein would like some language clarification inserted to address the difference of what is intentional or unintentional conduct. Selectman Goldstein will provide his recommendations on some language changes to the draft policy.

The Board will not vote on this tonight.

#### FY 2012 TAX CLASSIFICATION

Question of adopting percentages of the local tax levy for different classes of property and an exemption for certain residential properties.

Selectman Benka provided a Powerpoint presentation on the impacts of the different tax increases. There is a significantly different impact on single family homes, condos, and commercial properties. The presentation was a calculation of various tax rate implications. The calculations are such where the increases will not be the same for all categories; the calculations will not provide that. He suggested that the rate stay the same as it is now. There is nothing that compels any movement. He recommends a tax rate of 1.733. He questioned if the residential exemption is progressive; it shifts the taxes to rental properties and higher valued single family homes. Betsy outlined that MSL limits the revenue to 2. Get Betsy's read out. First we adopt a residential exemption, it reduces the value of owner occupied residential properties. It can range from 1.5 to 1.75 it will increase the share ...

Selectman Daly agrees that it should remain where it was, we have historically set the

residential exemption at 20%. She would like to keep the shift at a minimum to the Commercial properties and recognized that it has been difficult for them these past few years. Selectman Mermell agrees this is a symbolic gesture to the small businesses and letting them know we appreciate their contribution to the community especially since they do not qualify for a residential exemption. Selectman Goldstein noted that in his experience it is much less frequent that you would see a net lease; rents are established much less apparent in a typical commercial lease. Besty we are trying hard to treat all properties fairly.

Voted to approve Question of adopting percentages of the local tax levy for different classes of property and an exemption for certain residential properties.

Aye: Betsy DeWitt, Nancy Daly, Jesse Mermell, Richard Benka, Kenneth Goldstein

#### LONG RANGE FINANCIAL FORECAST

[Deputy Town Administrator Sean Cronin and Director of Finance Stephen Cirillo will present the FY13-FY17 Long Range Financial Forecast.](#)

Town Administrator Mel Kleckner, Deputy Town Administrator Sean Cronin, and Finance Director Stephen Cirillo. Mel stated that the Town holds a strong Town/School partnership that meets regularly and frequently share feedback. FY13 Town adopted last year this plan meets all those criteria. Every year we are faced with getting more creative and FY13 is a difficult budget with reduced State Aid, increased school enrollment, higher utilities, and group insurance costs. The Town is very fortunate in its budget staff that has been acknowledged by their peers.

Deputy Town Administrator Sean Cronin and Director of Finance Stephen Cirillo provided a Powerpoint of the FY2013-FY2017 Long Range Financial Plan.

Benak assumed CB and debt increases, this is not something that is imposed on us it is something that has to be agreed to. Using the term structural deficit loosely. Sean 2% schools locked in and agreed to. Happened at our own hand. Jesse basis for 5% number in local aide. Sean it is a starting point basically. Mel we are making an educated guess attend fiscal policy meetings and this is what we are hearing now. Ken Goldstein stated that interest rates are historically low are we doing everything we can to make sure our rates are as low as they can go. Steve replied that within the last 2-4 years we have borrowed at 2-3 % which is very low. It would not benefit us to refinance. We do look at it every quarter to see if anything has changed. Betsy when we calculated the deficit and look at the base growth of school town is there an allowance in this to what it will take to fully fund what weather or not the growth number in our going years includes what the cost of the enrollment growth. .. Bill Lupini yes the number is in there, it includes 21 teachers in the next seven years.

#### PRELIMINARY CAPITAL IMPROVEMENTS PROGRAM

[Deputy Town Administrator Sean Cronin will appear to present the Preliminary FY13-FY18 Capital Improvements Program.](#)

Deputy Town Administrator Sean Cronin presented the Preliminary FY13-FY18 Capital Improvement Program.

Superintendent William Lupini reviewed the School CIP budget. Over the past 6-7 years. Kindergarten enrollment has accelerated. Mr. Lupini stressed the need for additional classrooms. Selectman Goldstein asked if the numbers included any potential new housing projects. Mr. Lupini replied no, that was not taken into the account in this presentation, nor does it include those attending private schools or metro students, the numbers came from census data. Jesse asked if neighboring communities are seeing this kind of growth, Mr. Lupini replied some, none appearing as much as Brookline is seeing. One factor seems to indicate the housing turnover where a 2 person family is being replaced by a larger family. Jesse would like to

understand what the x factor is, clearly we are not the only community with an excellent school system. Mr. Lupini replied that Brookline has been referred to a "destination" town. Mr. Lupini stated that they are looking at all aspects of the program to identify space.

MISCELLANEOUS

[Question of approving the minutes of November 29, 2011.](#)

as amended

Voted to approve 12. Question of approving the minutes of November 29, 2011.

Aye: Betsy DeWitt, Nancy Daly, Jesse Mermell, Richard Benka, Kenneth Goldstein

[Question of approving Extra Work Order No. 3 in the amount of \\$45,000.00 for work to be performed by Lorusso Corp. in connection with Contract No. PW/09-25 "Disposing of Leaves and Related Work". Said work order to be funded from the following accounts:](#)

<u>40004300 523593</u>	<u>\$40,000.00</u>
<u>4991EW40 523593</u>	<u>\$ 5,000.00</u>

Commissioner Pap stated that this contract includes various items. It is a three year contract awarded in fy10 and we are in the final year. This is the third extra work order and hopefully the final one. Remove yard waste and leaves from the transfer site.

Voted to approve 13. Question of approving Extra Work Order No. 3 in the amount of \$45,000.00 for work to be performed by Lorusso Corp. in connection with Contract No. PW/09-25 "Disposing of Leaves and Related Work". Said work order to be funded from the following accounts:

40004300 523593	\$40,000.00
4991EW40 523593	nbsp; 5,000.00

Aye: Betsy DeWitt, Nancy Daly, Jesse Mermell, Richard Benka, Kenneth Goldstein